



SCHEME OF SYLLABUS

BA.LLB (H)

AS PER CREDIT SHEET 2024-25

7<sup>TH</sup> SEMESTER

SUBJECTS	CODE
Human Rights Law and Practice	SLL-BALLB-701
Labour and Industrial Law - I	SLL-BALLB-702
International Trade Law	SLL-BALLB-703
BSA (Law of Evidence)	SLL-BALLB-704
Investment Law (Elective)	SLL-BALLB-705 or 706
Bankruptcy and Insolvency (Elective)	
Women and Law (Elective)	
Criminal Psychology (Elective)	
Summer Internship (Report and VIVA)	SLL-BALLB-707

**Semester: 7<sup>th</sup>**

<b>Subject</b>	<b>Human Rights Law and Practices</b>
<b>Subject Code</b>	<b>SLL-BALLB-701</b>
<b>Credits</b>	<b>3</b>

**Program Outcomes:**

PO 1.	Identify and recall key legal concepts, terminology, statutes, and landmark cases relevant to various fields of law
PO 2.	Explain the structure, functions, and core principles of national and international legal systems
PO 3.	Use appropriate legal doctrines and procedures to resolve practical legal issues and case scenarios.
PO 4.	Examine facts, identify relevant legal issues, and distinguish between competing legal arguments and interpretations.
PO 5.	Draft clear, logical legal texts such as case briefs, legal opinions, and research papers using sound legal reasoning.
PO 6.	Assess the effectiveness, fairness, and impact of laws and judicial decisions, and suggest justified reforms or alternatives.

**Course Outcomes:**

CO 1	Understand the historical and philosophical foundations of human rights
CO 2	Define and explain the concept of human rights
CO 3	Identify key international human rights instruments
CO 4	Analyze the intersectionality of human rights violations and contemporary human rights issues

**Unit 1: Introduction to Human Rights**

- a. Historical and Philosophical foundations of human rights
- b. Definition and scope of human rights
- c. Over view of international human rights system
- d. International Bill of Rights (Key international HR instruments: ICCPR, ICESCR and its protocols)

**Unit 2: International Human Rights Law and Institutions**

- a. Structure and functions of the United National Human Rights System
- b. Human Rights Council and its mechanism (E.g. Universal Periodic Review, Special Procedures)
- c. Treaty bodies and their role in monitoring human rights
- d. Regional Human rights regimes (ECHR, ACHR, etc)
- e. The Protection of Human Rights Act, 1993
- f. NHRC and State Human Right Commissions: Composition, Powers and Functions
- g. NCW, NCM, NCSC and NCST
- h. Role of Civil Societies and Media

### **Unit 3: Human Rights and Vulnerable Groups**

- a. Women rights and gender Equality
- b. Child rights and child protection
- c. Rights of persons with disabilities
- d. Rights of indigenous people
- e. Refugees and senior citizen
- f. Intersectionality and multiple forms of discrimination (new generation rights)

### **Unit 4: Contemporary Challenges and Emerging Issues in Human Rights**

- a. Human Rights, Judicial Approach and globalization
- b. Climate change and environment
- c. Terrorism
- d. Migration
- e. Soft rights and limitations

#### **SKILL DEVELOPMENT ACTIVITIES:**

- a. **Group Discussion on universality of Human Rights**
- b. **Case analysis of Human Rights violation**
- c. **Conduct Human rights campus to address issues of Vulnerable Groups.**

#### **Text Books Referred:**

1. Alston, P and Steiner, H. (2017). International Human Rights in Context: Law, Politics, Moral (Oxford University Press).
2. Amita Dhanda, International Human Rights Law (Lexis Nexis)
3. S.K Kapoor- International Human Rights
4. H.O Aggarwal- Human Rights Law

#### **Reference Books/Additional Books:**

1. Brownlie's Principles of Public International Law by James Crawford (Oxford University Press)
2. International Human Rights Law: Cases, Materials, and Commentary by David Weissbrodt and Connie de la Vega (LexisNexis)
3. The Oxford Handbook of International Human Rights Law edited by Dinah Shelton (Oxford University Press)
4. Human Rights: A Very Short Introduction by Andrew Clapham (Oxford University Press)
5. The Encyclopedia of Human Rights edited by David P. Forsythe (Oxford University Press)
6. International Human Rights Law and Practice by Ilias Bantekas and Lutz Oette (Cambridge University Press)

#### **Statutes:**

1. Protections of Human Rights Act, 1993
2. Universal Declaration of Human Rights (1948)

**Case Laws:****Universal Declaration of Human Rights (UDHR)**

1. Brown v. Board of Education (1954) - US Supreme Court
2. Loving v. Virginia (1967) - US Supreme Court
3. Reynolds v. Sims (1964) - US Supreme Court
4. Engel v. Vitale (1962) - US Supreme Court

**International Covenant on Civil and Political Rights (ICCPR)**

1. Toonen v. Australia (1994) - UN Human Rights Committee
2. Awas Tingni v. Nicaragua (2001) - Inter-American Court of Human Rights
3. Soering v. UK (1989) - European Court of Human Rights
4. Kindler v. Canada (1993) - UN Human Rights Committee

**European Convention on Human Rights (ECHR)**

1. Handyside v. UK (1976) - European Court of Human Rights
2. Soering v. UK (1989) - European Court of Human Rights
3. McCann v. UK (1995) - European Court of Human Rights
4. Tyrer v. UK (1978) - European Court of Human Rights

**American Convention on Human Rights**

1. Velasquez-Rodriguez v. Honduras (1988) - Inter-American Court of Human Rights
2. Aloeboetoe v. Suriname (1993) - Inter-American Court of Human Rights
3. Godinez-Cruz v. Honduras (1988) - Inter-American Court of Human Rights
4. Neira-Alegria v. Peru (1995) - Inter-American Court of Human Rights

**Indian Case Laws**

1. Maneka Gandhi v. Union of India (1978) - Indian Supreme Court
2. Olga Tellis v. Bombay Municipal Corporation (1985) - Indian Supreme Court
3. People's Union for Civil Liberties v. Union of India (1997) - Indian Supreme Court
4. Vishaka v. State of Rajasthan (1997) - Indian Supreme Court

**Other notable cases**

1. Marbury v. Madison (1803) - US Supreme Court (established judicial review)
2. Roe v. Wade (1973) - US Supreme Court (abortion rights)
3. Dred Scott v. Sandford (1857) - US Supreme Court (slavery and citizenship)
4. Mabo v. Queensland (1992) - Australian High Court (indigenous land rights)

**Semester: 7<sup>th</sup>**

<b>Subject</b>	<b>Labour and Industrial Laws- I</b>
<b>Subject Code</b>	<b>SLL-BALLB-702</b>
<b>Credits</b>	<b>04</b>

**Program Outcomes:**

PO 1.	Identify and recall key legal concepts, terminology, statutes, and landmark cases relevant to various fields of law
PO 2.	Explain the structure, functions, and core principles of national and international legal systems
PO 3.	Use appropriate legal doctrines and procedures to resolve practical legal issues and case scenarios.
PO 4.	Examine facts, identify relevant legal issues, and distinguish between competing legal arguments and interpretations.
PO 5.	Draft clear, logical legal texts such as case briefs, legal opinions, and research papers using sound legal reasoning.
PO 6.	Assess the effectiveness, fairness, and impact of laws and judicial decisions, and suggest justified reforms or alternatives.

**Course Outcomes:**

CO 1	Appreciate the raison d'être behind the constitutional and legislative mandate for minimum wage;
CO 2	Analyse the judicial delineation of an employer's liability, as against an accident arising out of and in the course of employment with special reference to the notional extension of employment, to pay compensation in certain cases;
CO 3	View the health, safety and welfare measures contemplated for workers in a comprehensive manner, especially in light of the LPG, and to suggest stock of the reforms needed;
CO 4	Analyse the insurance requirements of the workers from a multifarious perspective;

**Unit 1: Introduction to Labour law**

- a. Industrial Jurisprudence; Labour: History and policy in India
- b. Constitutional Paradigm of Labour and Industrial law: Part III and Part IV Principles and need of labour Legislation in India
- c. Codification of Labour and Industrial Laws
- d. Employment rights and problems of the working force
- e. Concept, evolution, and perspective of industrial relation
- f. Collective Bargaining concept and its application in harmonious industrial relations
- g. Role of ILO in promoting Collective bargaining

2.

**Unit 2: Industrial Dispute**

- a. Concept of Appropriate Government, Workman, Industry and Industrial Dispute
- b. Industrial Dispute versus Individual Dispute
- c. Industrial Dispute settlement machinery- Works Committee, Conciliation Officers and Board of Conciliation Adjudicatory machinery for dispute resolution- Labour Court, Industrial Tribunal, National Tribunal, and Voluntary Arbitration; Reference of disputes to board Court or Tribunal; Enforcement of the Awards and Settlements under Industrial

Relations 2020.

- d. Strike and Lockout
  - i. Definition and Justification
  - ii. Types of Strike
  - iii. Right to Strike and its Constitutional validity
  - iv. Lay-off and Retrenchment
  - v. Lockout- Transfer and Closure & Wage for Strike and Lockout period

### **Unit 3: Trade Union**

- a. History of Trade Unionism in India & Development of Trade Union Law in India
- b. Definition and Concept of Trade Union
- c. Trade Dispute and Workman under Trade Union
- d. Registration of Trade Union
- e. Rights and Liabilities of Registered Trade Union & Immunity of Registered Trade Union

### **Unit 4: The Industrial Employment (Standing Orders):**

- a. Introduction
- b. Importance of Standing orders; Object of Standing Orders
- c. Matters to be provided in the standing orders

#### **SKILL DEVELOPMENT ACTIVITIES:**

- a. Document Preparation for Claim of Beneficiary
- b. Visit to Authorities
- c. Judgment Analysis
- d. Interaction with Workmen

### **Textbooks:**

1. Labour and Industrial Laws by S.N. Mishra.
2. Labour and Industrial Laws by Prof. (Dr.) V.G. Goswami
3. Commentaries on Payment of Wages Act, 1936 by K.D.Srivastava
4. Commentaries on Minimum Wages Act, 1948 by K.D.Srivastava
5. Commentaries on Factories Act, 1948 by S.C.Srivastava
6. Industrial Law by P.L.Malik
7. The law of Industrial Disputes, Universal Law Publishing Company, 1998 by O.P. Malhotra.

### **Statutes:**

1. The Industrial Relations Code, 2020
2. The Industrial Disputes Act, 1947
3. The Trade Unions Act, 1926
4. The Factories Act, 1948
5. The Employees' Provident Funds and Miscellaneous Provisions Act, 1952

### **Articles and Journals:**

1. Journal of Industrial Relations
2. Labour Law Journal
3. International Labour Review

### **Essential Readings:**

1. Report of the National Commission on Labour (1969)
2. Report of the Second National Commission on Labour (2002)
3. Labour and Industrial Cases - LIC 2022 by AIR Edition: 2022
4. Kahn Freund's Labour and Law (Hamlyn Lecture Series) Introduction: Some Reflections

on Law and Power, pp. 14-20 (1983).

5. Employment Relations in India in the Post-Reform Period: Positives, Challenges, and opportunities, Indian Journal of Labour Economics, Vol.54, No.1, 2011
6. What Should Indian Trade Unions Do? An Agenda for Trade Unions at the Risk of Sermonising! Indian Journal of Labour Economics, Vol.51, No.4, 2008
7. Trade Union and the New Challenges: One Step Forward, Two Steps Backward, Indian Journal of Labour Economics, Vol.49, No.4, 2006.
8. Trade Union in India-A Sociological Approach by N.R. Sheth available at <https://www.jstor.org/stable/23618623>.
9. The Rise and Fall of India Trade Unions: A Legislative and Judicial Perspective available at <https://www.jstor.org/stable/27768099>.
10. Meaning of 'Industry' under the Industrial Disputes Act, 1947 available at <https://www.jstor.org/stable/43949706>

#### **Case Laws**

1. Agra Electrical Supply Co. v. Sri Alladin AIR 1970 SC 512.
2. Associated Cement Co. Ltd. v. PD. Vyas AIR 1969 SC 665.
3. Bangalore Water Supply and Sewerage Board v. A. Rajappa AIR 1978 SC 548.
4. B.R. Singh v. Union of India (1989) 4 SCC 710.
5. Bokajan Cement Corporation Employees v. Cement Corporation of India Ltd AIR 2004SC 245.
6. Coir Board Eranakulam v. Indira Devi PS (I), AIR 1998 SC 2801.
7. Deepali Gundu Surwase v. Kranti Junior Adhyapak & Ors (2013) 10 SCC 324
8. Essorpe Mills Ltd. v. P.O.; Labour Court (2008) 7 SCC 594
9. General Manager, Telecom v. A. Srinivasa Rao 1997 (8) SCC 767
10. Gujarat Steel Tubes Ltd v. Gujarat Steel Tubes Mazdoor Sabha (1980) 2 SCC 593
11. Guest Keen Williams P Ltd v. P J Sterling, AIR 1959 SC 1279
12. Jay Engineering Works v. State of West Bengal, AIR 1968 Cal 407 (SB).
13. Management, Shahdara (Delhi) Saharanpur Light Railway Co. v. SS Railway Work Union AIR 1969 SC 573.
14. Management of the Barara Cooperative Marketing cum Processing Society Ltd. v. Workman Pratap Singh AIR 2019 SC 228
15. O. K. Ghosh v. Ex Joseph, AIR 1963 SC 812.
16. Rookes V. Barnard, 1964 AC 1129.
17. Rohtas Industries Staff Union v. State of Bihar, AIR 1963 Pat. 170 Syndicate Bank v. K. Umesh Nayak (1994) 5 SCC 572
18. State of U.P. v. Jai Bir Singh (2005) 5 SCC 1
19. U.P. State Brassware Corporation Ltd. v. Uday Narain Pandey (2006) 1 SCC 479.

Semester: 7<sup>th</sup>

<b>Subject</b>	<b>International Trade Law</b>
<b>Subject Code</b>	<b>SLL-BALLB-707</b>
<b>Credits</b>	<b>3</b>

**Program Outcomes:**

PO 1.	Identify and recall key legal concepts, terminology, statutes, and landmark cases relevant to various fields of law
PO 2.	Explain the structure, functions, and core principles of national and international legal systems
PO 3.	Use appropriate legal doctrines and procedures to resolve practical legal issues and case scenarios.
PO 4.	Examine facts, identify relevant legal issues, and distinguish between competing legal arguments and interpretations.
PO 5.	Draft clear, logical legal texts such as case briefs, legal opinions, and research papers using sound legal reasoning.
PO 6.	Assess the effectiveness, fairness, and impact of laws and judicial decisions, and suggest justified reforms or alternatives.

**Course Outcomes:**

CO 1	Understand the fundamental concepts and principles of international trade law.
CO 2	Gain a detailed understanding of the WTO's role in the regulation of international trade
CO 3	Examine the role of regional trade agreements in shaping global trade patterns
CO 4	Understand the role of international trade law in sustainable development, human rights, and environmental protection

**Unit 1 Introduction to International Trade Law**

- a. **Overview of International Trade Law**
  - i. Definition and scope of international trade law
  - ii. Differences between domestic and international trade law
  - iii. The role of International Economic Law
- b. **The Global Trading System**
  - i. Key players in international trade: countries, multinational corporations, and international organizations
  - ii. The role of trade in economic development
- c. **Historical Evolution of International Trade**
  - i. Early trade practices and trade routes
  - ii. The establishment of the General Agreement on Tariffs and Trade (GATT)
  - iii. The formation and growth of the World Trade Organization (WTO)
- d. **Principles of International Trade Law**
  - i. Most-favored-nation (MFN) principle
  - ii. National Treatment principle
  - iii. Transparency and fairness in trade practices



## **Unit 2 WTO and its Agreements**

### **a. The WTO Agreements**

- i. General Agreement on Tariffs and Trade (GATT)
- ii. General Agreement on Trade in Services (GATS)
- iii. Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS)
- iv. Agreement on Trade-Related Investment Measures (TRIMs)
- v. Agreement on Agriculture (AoA)

### **b. The Dispute Settlement Mechanism (DSM) of the WTO**

- i. Overview of the WTO dispute settlement system
- ii. The stages of the dispute process: Consultation, Panel Reports, Appellate Review, and Compliance
- iii. Case studies of major WTO disputes (e.g., US – Shrimp case, EC – Banana dispute)

## **Unit 3 Regional Trade Agreements and Economic Integration**

- a. Definition and classification of RTAs (Free Trade Area, Customs Union, Common Market, etc.)
- b. Legal Framework of RTAs
- c. Compatibility of RTAs with WTO rules (Article XXIV of GATT)
- d. Dispute settlement in RTAs and conflicts with WTO regulations

## **Unit 4 Contemporary Issues in International Trade Law**

- a. International Trade and Sustainable Development
- b. The interaction between international trade and human rights law
- c. Rise of digital trade and e-commerce
- d. COVID-19 and its implications for global trade

### **SKILL DEVELOPMENT ACTIVITIES:**

- a. Field Visit to a Trade Regulatory Body or Law Firm
- b. International Trade Law Quiz Competitions
- c. Case Study Analysis

### **Text Books Referred:**

1. "International Trade Law" by Indira Carr and Peter Stone (Routledge)
2. "International Economic Law" by Thomas Cottier, et al. (Oxford University Press)

### **Reference Books/Additional Books:**

1. "International Trade Law: Cases and Materials" by Raj Bhala (West Academic Publishing)

Semester: 7<sup>th</sup>

Subject	BSA (Bhartiya Sakshya Adhiniyam)
Subject Code	SLL-BALLB-704
Credits	4

**Program Outcomes:**

PO 1.	Identify and recall key legal concepts, terminology, statutes, and landmark cases relevant to various fields of law
PO 2.	Explain the structure, functions, and core principles of national and international legal systems
PO 3.	Use appropriate legal doctrines and procedures to resolve practical legal issues and case scenarios.
PO 4.	Examine facts, identify relevant legal issues, and distinguish between competing legal arguments and interpretations.
PO 5.	Draft clear, logical legal texts such as case briefs, legal opinions, and research papers using sound legal reasoning.
PO 6.	Assess the effectiveness, fairness, and impact of laws and judicial decisions, and suggest justified reforms or alternatives.

**Course Outcomes:**

CO 1	Understand the principles of evidence and the significance of digital evidence under the Bhartiya Sakshaya Sanhita
CO 2	Analyze the types of evidence, including oral, documentary, and digital, and their examination in modern legal contexts
CO 3	Examine the rules for admissibility of evidence, with a focus on exceptions and digital media in contemporary legal practice
CO 4	Evaluate the burden of proof and legal presumptions in cybercrimes and digital evidence, including modern judicial interpretations

**Unit 1: Introduction to Bhartiya Sakshaya Sanhita (Indian Evidence Act) and Relevance of Facts**

- a. Overview of Bhartiya Sakshaya Sanhita (Indian Evidence Act, 2023)
  - i. Historical context of the Indian Evidence Act, 1872, and the shift to Bhartiya Sakshaya Sanhita
  - ii. Key Changes: Emphasis on digital evidence, cybercrimes, and modern evidentiary procedures
  - iii. Applicability of Bhartiya Sakshaya Sanhita to modern legal practice
- b. Relevance of Facts (Sections 5-55): Digital evidence and its role in modern adjudication
- c. General Principles of Admissibility: Role of judicial notice in modern-day legal contexts (including digital and public records); Presumptions regarding electronic records and cyber evidence

- d. Relevancy of Facts under Bhartiya Sakshaya Sanhita: Emphasis on internet evidence and digital footprints; Amendments to Sections addressing cyber evidence, emails, and social media statements

## **Unit 2: Types of Evidence and Examination of Witnesses in the Digital Age**

- a. Oral Evidence (Sections 59-60)
- b. Documentary Evidence (Sections 61-90)
- c. Presumptions Regarding Documents (Sections 85-90)
- d. Types of Examination: Chief Examination, Cross-Examination, and Re-Examination
- e. Leading Questions and Improper Questions
- f. Examination of Witnesses in Digital Cases
  - i. Digital forensics: Evidence extraction from mobile devices, computers, and cloud storage
  - ii. Witness examination in cases involving cybercrime and digital fraud
  - iii. Cross-examining digital evidence: Challenges in digital witness testimony

## **Unit 3: Admissibility of Evidence and Exceptions to the General Rules**

- a. Admissibility of Evidence in Civil and Criminal Cases
- b. Hearsay Evidence (Sections 60-65): Traditional hearsay evidence rules and their extension to digital hearsay (social media, digital communications); **Exceptions to hearsay** in the digital context (statements made on websites, emails, etc.)
- c. Statements by Persons in Authority (Sections 32-33): Electronic statements: Impact of digital media on admissibility
- d. Exceptions to General Rules of Admissibility: Expert opinions in cybercrime and cybersecurity-related case

## **Unit 4: Burden of Proof and Presumptions in Digital and Cyber Evidence**

- a. Burden of Proof (Sections 101-114A)
- b. Presumptions in Cyber Evidence: Presumptions of authenticity for electronic records (Section 65B); Presumption in cybercrimes: How IP addresses, location data, and digital signatures are presumed to be valid
- c. Standard of Proof
- d. Presumptions in Law
- e. Analysis of Landmark Judgments on Burden of Proof and Presumptions

### **SKILL DEVELOPMENT ACTIVITIES:**

- a. **Mock Court Sessions on Digital Evidence**
- b. **Workshop on forensic techniques used for collecting and preserving digital evidence (such as extracting evidence from mobile phones or computers).**
- c. **Visit to a Forensic Institute**

### **Text Books Referred:**

1. "The Law of Evidence" by S.K. Agarwal
2. "Cyber Crime and Digital Evidence: Law and Practice" by D.P. Mittal
3. "Cyber Law in India" by Pavan Duggal

### **Reference Books/Additional Books:**

1. Evidence Law and Procedure" by B.L. Wadhwa
2. Cyber Crime and Digital Evidence: Legal and Practical Aspects" by S. S. K. R. S. Sharma

**Semester: 7<sup>th</sup>**

<b>Subject</b>	<b>Bankruptcy and Insolvency (Elective)</b>
<b>Subject Code</b>	<b>SLL-BALLB-705 or 706</b>
<b>Credits</b>	<b>2</b>

**Program Outcomes:**

PO 1.	Identify and recall key legal concepts, terminology, statutes, and landmark cases relevant to various fields of law
PO 2.	Explain the structure, functions, and core principles of national and international legal systems
PO 3.	Use appropriate legal doctrines and procedures to resolve practical legal issues and case scenarios.
PO 4.	Examine facts, identify relevant legal issues, and distinguish between competing legal arguments and interpretations.
PO 5.	Draft clear, logical legal texts such as case briefs, legal opinions, and research papers using sound legal reasoning.
PO 6.	Assess the effectiveness, fairness, and impact of laws and judicial decisions, and suggest justified reforms or alternatives.

**Course Outcomes:**

CO 1	Introduce students to the concepts of bankruptcy and insolvency, their historical evolution, and the need for an insolvency regime in India.
CO 2	Provide an in-depth understanding of the procedural aspects of insolvency and bankruptcy.
CO 3	Understand the core structure, processes, and provisions of the Insolvency and Bankruptcy Code (IBC), 2016
CO 4	Examine the practical challenges, issues of implementation, and key judicial decisions affecting the application of IBC

**Unit 1 Introduction to Bankruptcy and Insolvency**

- a. Concepts of Bankruptcy and Insolvency: Definitions, distinctions, and significance.
- b. Historical Overview of Bankruptcy Law in India: Pre-IB Code regimes.
- c. Need for a Comprehensive Insolvency Law: The role of insolvency laws in economic stability.
- d. Key Players in the Insolvency Process: Insolvency professionals, creditors, corporate debtors.

**Unit 2 Insolvency and Bankruptcy Code, 2016 (IBC) – Overview**

- a. Introduction to the Insolvency and Bankruptcy Code (IBC): Salient features, objectives, and scope.

- b. Corporate Insolvency Resolution Process (CIRP): Initiation, process, and timelines.
- c. Personal Insolvency and Bankruptcy: Process under IBC for individuals and partnerships.
- d. Resolution Professionals: Role and powers

### **Unit 3 Key Processes and Mechanisms under IBC**

- a. Corporate Insolvency Resolution Process (CIRP): Initiation, moratorium, and appointment of resolution professionals.
- b. Liquidation Process: Grounds for liquidation, order of priority of claims, and distribution of assets.
- c. Role of the National Company Law Tribunal (NCLT): Jurisdiction, powers, and procedural aspects.
- d. The Committee of Creditors (CoC): Functions and decision-making process.

### **Unit 4 Practical Challenges and Judicial Interpretations**

- a. Challenges in the Implementation of IBC: Delays, backlogs, and reforms required.
- b. Recent Amendments to the IBC: Key changes and their impact.
- c. Case Law Analysis: Landmark judgments interpreting provisions of IBC (e.g., Swiss Ribbons, Ebix Singapore).
- d. Cross-Border Insolvency: Provisions under the IBC and the role of the UNCITRAL Model Law.

#### **SKILL DEVELOPMENT ACTIVITIES:**

- a. Panel discussion on "Challenges and Reform Needs in the Indian Insolvency and Bankruptcy System,"
- b. Write research papers on contemporary issues in insolvency law, such as cross-border insolvency or the impact of IBC on startups
- c. Case Study Analysis

#### **Text Books Referred:**

- 1. "Insolvency and Bankruptcy Law: A Primer" by M. S. Sahoo
- 2. "Corporate Insolvency and Rescue" by Joan S. D. L. Harris

#### **Reference Books/Additional Books:**

- 1. "Principles of Corporate Insolvency Law" by Roy Goode

**Semester: 7<sup>th</sup>**

<b>Subject</b>	<b>Foreign Investment Laws</b>
<b>Subject Code</b>	<b>SLL-BALLB-705 or 706</b>
<b>Credits</b>	<b>2</b>

**Program Outcomes:**

PO 1.	Identify and recall key legal concepts, terminology, statutes, and landmark cases relevant to various fields of law
PO 2.	Explain the structure, functions, and core principles of national and international legal systems
PO 3.	Use appropriate legal doctrines and procedures to resolve practical legal issues and case scenarios.
PO 4.	Examine facts, identify relevant legal issues, and distinguish between competing legal arguments and interpretations.
PO 5.	Draft clear, logical legal texts such as case briefs, legal opinions, and research papers using sound legal reasoning.
PO 6.	Assess the effectiveness, fairness, and impact of laws and judicial decisions, and suggest justified reforms or alternatives.

**Course Outcomes:**

CO 1	Understand International Agreements and Treaties
CO 2	Evaluate Foreign Exchange Laws and Taxation
CO 3	Gain an in-depth understanding of national and international foreign investment laws.
CO 4	Develop the ability to analyze foreign investment policies in different jurisdictions.

**Unit 1: Introduction to Foreign Investment**

- a. Definition and Types of Foreign Investments:
  - Foreign Direct Investment (FDI)
  - Foreign Portfolio Investment (FPI)
  - External Commercial Borrowings (ECBs)
- b. Economic and Legal Importance of Foreign Investments
- c. Historical Evolution of Foreign Investment Law

**Unit 2: Legal Framework for Foreign Investments.**

- a. International Policies Governing FDI:
  - FDI Policy Frameworks (e.g., Consolidated FDI Policy of India)
  - Approval Routes: Automatic Route vs. Government Route
  - Sector-Specific Caps and Restrictions

- b. Key International Agreements:
  - Bilateral Investment Treaties (BITs)
  - Free Trade Agreements (FTAs)
  - Multilateral Investment Treaties (e.g., ICSID, OECD Guidelines)

### **Unit 3: Cross-Border Transactions and Foreign Exchange Regulations**

- a. Foreign Exchange Management Act, 1999 (FEMA) in India
- b. Prevention of Money Laundering Act.
- c. Tax Implications in Cross-Border Investments:
  - Double Taxation Avoidance Agreements (DTAA)

### **Unit 4: Investment Protections and Dispute Resolution**

- a. Investor Rights under BITs and International Agreements
- b. Expropriation and Fair and Equitable Treatment (FET) Standards
- c. Dispute Resolution Mechanisms:
  - Domestic Arbitration and Litigation
  - International Arbitration (e.g., ICSID, UNCITRAL)
  - Role of the WTO in Investment Disputes

#### **SKILL DEVELOPMENT ACTIVITIES**

- a. Case Study: Analyses landmark cases e.g Vodafone vs. India.
- b. Comparative Analysis: Compare foreign investment laws across jurisdictions.
- c. Research papers: Explore topics like BITs, FDI regulations or International agreements.
- d.

#### **Text Books Referred:**

1. The International Law on Foreign Investment by M. Sonarajah
2. Handbook on Foreign Trade Policy by Abhishek A. Rastogi.
3. A Professional Guide to FEMA By Manoj Pahwa.

#### **Reference Books/Additional Books:**

1. International Investment Law by Rudolf Dolzer and Christoph Schreuer.
2. The Law of Investment Treaties by Jeswald W. Salacuse.
3. Government Publications on FDI Policies (e.g., DPIIT Circulars).
4. Case Studies from ICSID and UNCTAD Investment Dispute Settlement Navigator.